

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael Scherer et al.

Application No.: 10/537,224

Confirmation No.: 3427

Filed: November 16, 2005

Art Unit: 1795

For: METHOD FOR PRODUCING A
MULTILAYER COATING AND DEVICE
FOR CARRYING OUT SAID METHOD

Examiner: Michael A. Band

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO INTERVIEW SUMMARY

Dear Sir:

In response to the Interview Summary mailed May 6, 2010, Applicant submits the following summary of the personal interview that took place on April 30, 2010 between the undersigned representative and the Examiner. Applicant wishes to thank the Examiner for many courtesies extended to the undersigned representative during the telephone interview of April 30, 2010.

Among the issues discussed during that interview was U.S. Patent No. 6,217,720 to Sullivan et al. (hereinafter "Sullivan"). We presented various arguments as to why the claimed invention is patentably distinguishable over Sullivan. The claimed invention deposits a coating with stoichiometric deficit (i.e., a substoichiometric compound) and then the deposited substoichiometric coating undergoes plasma activation to provide a fully stoichiometric coating. Whereas, Sullivan merely describes depositing multi-layer coating on the substrate using multiple station.

Additionally, we directed the Examiner attention to paragraph [0037] of instant published application which recites that the second constituent includes more than oxygen.

No agreement was reached, but the Examiner suggested that we amend the existing claims to further distinguish the claimed plasma treatment from Sullivan's reactive sputtering.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-RPP 201-US (10505883) from which the undersigned is authorized to draw.

Dated: May 7, 2010

Respectfully submitted,

By 

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